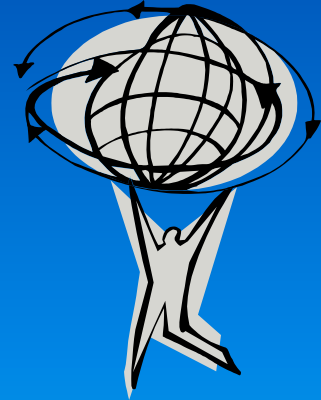


# EPCRA



- Emergency Planning & Community Right-To-Know Act
- Passed by Congress as part of the Superfund Amendments and Reauthorization Act of 1986 (SARA)
- Also called SARA Title III

# Goals of EPCRA



- To increase public knowledge of and access to information on the presence of toxic chemicals in communities, releases of toxic chemicals into the environment, and waste management activities involving toxic chemicals.
- To encourage and support planning for responding to environment emergencies.

# **MAJOR PROVISIONS OF TITLE III**

## **KANSAS DIVISION OF EMERGENCY MANAGEMENT**

- Emergency planning (Section 301-303)
- Emergency Release Notification (Section 304)

## **KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT**

- Community Right-to-Know Reporting (Section 311 & 312)
- Toxic Chemical Release Reporting (Section 313)

# WHAT ARE THE CHEMICALS?

- **Extremely Hazardous Substances** there is a specific list of the chemicals (Section 302, 304, 311 & 312).
- **Hazardous Substances** any chemical (product) which is not extremely hazardous and requires a material safety data sheet (MSDS) by OSHA. (Section 311 & 312)
- **CERCLA Chemicals** specific list (Section 304)
- **Toxic Release Inventory (TRI) Chemicals** specific list (Section 311 & 312)

# TITLE III List of List

<http://www.epa.gov/swercepp/pubs.html>

CAS	Chemical	Sec 302 (EHS)TPQ	EHS RQ	CERCLA RQ	Sec 313
7782-50-5	Chloine	100	10	10	313
535-89-7	Crimidine	100/10,000	100		
115-32-2	Dicofol			10	
7664-93-9	Sulfuric acid (aerosol)	1,000	1,000	1,000	313
7664-41-7	Ammonia	500	100	100	X
120-36-5	2,4-DP				313

# SECTION 302

- Extremely Hazardous Substances (EHS) only
- Above the threshold planning quantity (TPQ) onsite at anyone time
- Must report within 60 days
- One time report
- Only exceptions to reporting are transportation facilities(pipelines) and shipping vessels
- Use the Kansas Tier II report form
- Reports go to KDHE, LEPC & Local Fire Dept.

# **ACCIDENTAL RELEASES**

## **SECTION 304**

**Applies to:**

***EHS & CERCLA Chemicals.***

- If there is an accidental release of an EHS or CERCLA chemical above the Reportable Quantity (RQ) within a 24 hour period then there are reporting requirements to the SERC, LEPC and NRC.
- Reportable Quantity is chemical specific.

# SECTION 304

## *Continued*

- If the chemical is an EHS you notify, by telephone, the LEPC and the SERC (KDEM) immediately. If the chemical is a CERCLA substance you also need to notify the National Response Center (NRC).
- Follow-up with a written notification as soon as practical.
- If release is transportation related you can call 911 or the local operator in lieu of calling the LEPC and SERC



# WHAT IS SECTION 311/312 REPORTING?

- The reporting of hazardous and extremely hazardous substances (EHS) stored or used at a facility.
- Based on the maximum quantity on site at any one time
- Reporting is done on the Kansas Tier II form or using the Kansas Tier II online web application <http://208.186.168.134/>.
- **Reports are sent to the:**
  - Kansas Department of Health & Environment
  - Local Emergency Planning Committee (LEPC)
  - Local Fire Department

# **SECTION 311/312 THERSHOLD PLANNING QUANTITIES (TPQ)**

- **Extremely Hazardous Substances** - each chemical has a specific TPQ.
- **Hazardous Substances** – the TPQ is 10,000 lbs

# **KANSAS SPECIFIC 311/312 REQUIREMENTS**

- **Section 311**
  - Require list not MSDS
- **Section 312**
  - State specific Tier II report
  - Actual pounds
  - Petroleum fuel reporting by AST or UST
  - Do not allow Tier I report
  - KS Tier II online reporting

# **SECTION 313 FORM R REPORTING**

- **Facilities (Private and Public Sector)**
  - In covered primary SIC code; and
  - With 10 or more full time employees (equivalent of 20,000 hours per year; and
  - That exceed manufacturing, or processing or otherwise use thresholds for a section 313 chemical. Thresholds are cumulative over the year.
- **Also applies to federal Government facilities**

# SECTION 313

# THRESHOLDS

- **Other than persistent bioaccumulative toxic (PBT) chemicals**
  - Manufacturing – 25,000 lbs
  - Processing – 25,000 lbs
  - Otherwise use – 10,000 lbs
- **PBT's**
  - 100 lbs, 10 lbs, or for dioxin and dioxin-like compounds 0.1 gram



# COVERED SIC CODES

- Manufacturing 20-39
- Metal mining 10 (*except 1011, 1081, 1094*)
- Coal mining 12 (*except 1241*)
- Electrical Util. 4911, 4931, 4939
- TSD facilities 4953
- Solvent recovery 7389
- Chemical distr. 5169
- Petroleum bulk term 5171

# **SECTION 313**

## ***Continued***

- Reports packets are put together and distributed to facilities by EPA
- Reports are due by July 1 each year
- Reports are sent to EPA and KDHE
- EPA has a software package to submit form R by diskette

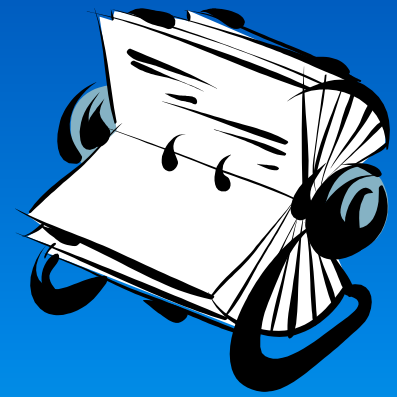
# GENERAL INFORMATION



- **Tier II submit – Section 312**
  - Kansas does not accept
- **Lead rule – Section 313**
  - 1<sup>st</sup> reported July 2002
- **Penalties - \$25,000/\$27,500/violation/day**

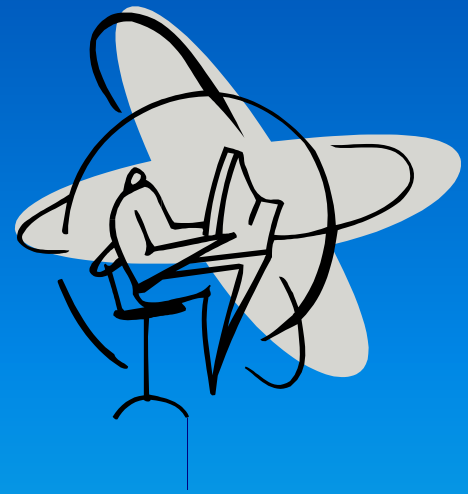


# PHONE NUMBERS



- Kansas Department of Health & Environment:  
785-296-1688 or 1689
- Kansas Division Of Emergency Management  
(KDEM): 785-274 1409
- KDEM 24-hour spill reporting: 785 296-3176
- EPA Superfund Call Center: 800-424-9346
- National Response Center: 800-424-8802
- Division of Industrial Safety & Health:  
785-296-4386

# HELPFUL WEB SITES



- **KDHE:** [www.kdheks.gov/index.html](http://www.kdheks.gov/index.html)
- **KDEM:** [www.ink.org/public/kdem](http://www.ink.org/public/kdem)
- **EPA TRI:** [www.epa.gov/tri](http://www.epa.gov/tri)
- **EPA Region 7:** [www.epa.gov/region7](http://www.epa.gov/region7)
- **OSHA:** [www.osha-slc.org](http://www.osha-slc.org)